

REMARKS

The Examiner has rejected Claims 1-17 as being anticipated by Myrick et al. 7,162,427 “Myrick” under 35 U.S.C. 102(e). Applicant has cancelled Claims 1-17 in favor of new Claims 18-40. Myrick does not anticipate Claims 18-40, and does not render obvious Claims 18-40. Applicant has provided remarks as to why Myrick does prevent the patenting of Claims 18, 39, and 40 (and thus all claims dependent therefrom). In view of the preceding claim amendments and the following remarks, Applicant kindly requests allowance of the pending claims 18-40.

Claims 18, 39, and 40 are patentable over Myrick

Applicant’s Claim 18 is drawn towards a public sector benefits realization method for determining the potential benefits of implementing a particular technology comprising, *inter alia*, the steps of generating a public sector benefits realization program, and generating a set of predicted benefits. *Application* at Claim 18, *see* Specification [0028]; [0052]; [0064-0065], Figs 1 and 3A.

Applicant’s Claim 39 is drawn towards a public sector benefits realization method for determining the potential benefits of implementing a particular technology comprising, *inter alia*, the steps of generating a public sector benefits realization program, and developing a mapping of the organization. *Application* at Claim 39, *see* Specification [0028]; [0031-0050]; [0052], Figs 1 and 2.

Applicant’s Claim 40 is drawn towards a public sector benefits realization method for determining the potential benefits of implementing a particular technology comprising, *inter alia*, the steps of generating a public sector benefits realization program, and evaluating a value of a predicted benefit of the technology. *Application* at Claim 40, *see* Specification [0028]; [0059-0062]; [0052], Figs 1 and 2D.

In contrast, Myrick discloses a “method of computer modeling integrated business and information technology frameworks and architecture in support of a business.” *Myrick* at column 38, lines 10-12. Myrick’s method and disclosure of modeling business architecture is not (1) a public sector benefits realization method.

Moreover, Myrick does not disclose (2) the step of generating a public sector benefits realization program, nor (3) the step of generating a set of predicted benefits as claimed. Therefore Myrick does not disclose all the features of Claim 18. Additionally, Myrick does not disclose (4) the step of developing a mapping of the organization as set forth in Claim 39, nor does Myrick disclose (5) the step of evaluating a value of a predicted benefit of the technology as set forth in Claim 40.

1) Myrick does not disclose a public sector benefits realization method

Claim 18 requires “A public sector benefits realization method for use by a public sector organization.” Myrick discloses an enterprise architecture for a business, not for a public sector organization. *Myrick* at abstract. “Public sector organizations operate with different priorities and pressures than those in the private sector.” *Application* at [0005]. Myrick’s own summary of his invention admits that his disclosure is only “a method and structure for modeling frameworks and architecture in support of a *business* is provided and substantially eliminates or reduces disadvantages and problems associated with *conventional business* and *IT modeling techniques*.” *Myrick* at column 1, lines 45-50, emphasis added. Therefore, Myrick does not disclose a “public sector benefits realization method for use by a public sector organization,” rather he discloses a private business modeling method for reducing problems associated with conventional business modeling techniques. Myrick therefore does not disclose all features of Claim 18.

2) Myrick does not disclose the step of generating a public sector benefits realization program

Claim 18 requires the step of “generating a public sector benefits realization program for selecting and implementing a particular technology having one or more potential benefits, one or more actual benefits, and a value to the public sector organization.” Myrick discloses that businesses are affected by external factors such as government legislation and regulations. *Myrick* at column 14, lines 25-30.

However, Myrick does not disclose public sector benefits realization program. He also does not disclose a generating a program to select and implement technology for a public sector organization. Rather, Myrick's "business architecture is formulated in support of the enterprise strategic business plan(s)." *Id.* Moreover, the section cited by the Examiner, column 14, lines 15-47, does not relate to generating a public sector benefits realization program; rather this section simply explains how private business are influenced by external factors such as government regulations or parent corporations. Myrick therefore does not disclose the step of "generating a public sector benefits realization program."

3) Myrick does not disclose generating a set of predicted benefits

Claim 18 requires the step of "generating a set of predicted benefits having a value for more closely predicting the actual benefits realized by implementing the technology, by analyzing the particular integration of the technology." Myrick does not disclose generating a set of predicted benefits of a technology, because Myrick's disclosure relates to a "method of computer *modeling* integrated business ... frameworks and architecture in support of a business." *Myrick* at Claim 1, emphasis added. Myrick's method of modeling business architecture does not disclose the generation of a set of predicted benefits of a technology; because Myrick is not concerned with predicting the change in benefits realized when a public organization implements a new technology. Myrick's disclosure and goal is to provide a "method of modeling frameworks and architecture in support of a business," but he does not attempt to set forth a method for generating a set of predicted benefits. *Myrick* at column 1, lines 50-60. Therefore Myrick does not disclose all the features of Claim 18.

4) Myrick does not disclose the step of developing a mapping of the organization

Claim 39 requires the step of "developing the mapping of the organization by: providing a list of functions for the mapping; considering a first task of the

organization; determining which function from the list of functions most closely resembles the first task; and mapping the task into one or more functions.” Myrick does not disclose this method of mapping, because Myrick merely discloses the process of defining vision, mission, and long-term objectives. *Myrick* at column 2, line 62, and column 4, lines 7-8. Defining vision, mission, and long-term objectives is different from the claimed step of developing a mapping of an organization because Myrick does not disclose considering a first task of an organization and determining from a list of functions which function the task most closely resembles. Rather, Myrick discloses that visions, missions, and long-term objectives should be defined. Defining objectives is different from determining which function a task most closely resembles, and therefore Myrick fails to disclose all the features of Claim 39.

5) Myrick does not disclose the step of evaluating a value of a predicted benefit of the technology

Claim 40 requires the step of “evaluating a value of a predicted benefit of the technology by: benchmarking (B) the total cost of the potential benefit; determining an expected conservation of resources expected (E) to be conserved through implementing the technology; assessing a probability range (P) for realizing the conservation of resources; and calculating the value of the expected benefit by determining an expected benefit for the technology expenditure by calculating $B \cdot P \cdot E$.” While Myrick does disclose providing a ‘Tower’ which “provides the baseline against which a business can measure their current environment and initiatives to ensure they are with and within a comprehensive framework for the design, engineering, acquisition, and deployment of technology-enabled solution to meet specific business goals,” he does not disclose using the claimed method for calculating the value of a predicted potential benefit. *Myrick* at column 8, lines 22-27. Myrick merely discloses that a business can measure its initiative to ensure it is within the framework of its technology solution. Myrick does not disclose the claimed method of evaluating the predicted benefit of the technology, because he

does not disclose the step of (1) benchmarking the total cost of the potential benefit, (2) determining an expected conservation, (3) assessing a probability range, and using the results of steps (1)-(3) to calculate the value of the expected benefits. Therefore Myrick does not disclose all the features of Claim 40.

Summary

Claims 18, 39, and 40 are patentable over Myrick, because Myrick fails to disclose each and every limitation of these claims. Claims 19-38 depend from Claim 18 and are patentable over Myrick for at least the same reasons as set forth in the remarks for Claim 18. Applicant kindly requests the Examiner withdraw the pending rejection of Claims 1-17, and allow the presently pending claims 18-40.

CONCLUSION

In view of the foregoing, the Applicants respectfully request that the Examiner consider the claims as amended for examination on the merits. A timely allowance of the pending claims is requested.

If there are any fees (such as necessary extension of time or extra claims fees) due in connection with the filing of this Response and Amendment which are not covered by the concurrently submitted transmittal document, please charge any necessary fees or credit any overpayments to Deposit Account No. 50-1349.

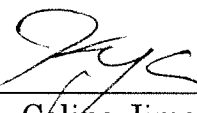
The Examiner is invited to contact Applicants' undersigned attorneys and agents by telephone to discuss any matters if the Examiner feels such discussions may expedite the progress of the present application toward allowance.

Respectfully submitted,

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